IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.324 OF 2006

Raymond Ltd. ...Plaintiffs

V/s.

M/s. R.D. Steel Industries ...Defendants

Mr. Yash Kapadia, Advocate, with Amit Vyas i/b. Rajani Associates, for the Plaintiffs.

Mr. Vinod Bhagat, Advocate, for the Defendants.

CORAM : S.J. VAZIFDAR, J.
DATED : 28TH AUGUST, 2006.

P.C. :

. By consent the suit is placed on board and called out for hearing.

2. The learned counsel appearing on behalf of the Defendants reiterates the statement contained in the Defendant's letter dated 22nd February, 2006 to the effect that the Defendants have withdrawn the Application No.781503 in class six for registration of the mark 'Raymond'.

3. The learned counsel further states that the Defendants had stopped using the trade mark ’Raymond’ and have destroyed all the infringing material.

4. He further states that the Defendants have no further infringing material in their stock or otherwise.

5. The Defendants undertake never to use in future the trade mark ’Raymond’ on any product, in any manner, either by himself or by his associates, partners, successors or servants.

6. The aforesaid statements and undertaking are accepted.

7. The Defendants are willing to submit to a decree on admission in terms of prayers (a) to (d). In view thereof, the Plaintiff does not press the remaining prayers.

8. In the circumstances, the following orders are passed :-

(i). The above statements and undertakings made on behalf of the Defendants are accepted.

(ii). Decree on admission in terms of prayers (a), (b), (c) and (d).

(iii) Refund as per rules.

The suit is accordingly disposed of.